

LEGISLATURE OF NEBRASKA
NINETY-SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1031

Introduced by Bromm, 23; Janssen, 15

Read first time January 11, 2002

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to counties; to amend section 23-3502, Revised
2 Statutes Supplement, 2000; to change provisions relating
3 to boards of trustees for medical and multiunit
4 facilities; to eliminate a residency requirement; and to
5 repeal the original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 23-3502, Revised Statutes Supplement,
2 2000, is amended to read:

3 23-3502. (1) (a) When a county with a population of three
4 thousand six hundred or more and less than two hundred thousand
5 inhabitants or with a taxable value of the taxable property of
6 twenty-eight million six hundred thousand dollars or more
7 establishes a facility or facilities as provided by section
8 23-3501, the county board of the county shall proceed at once to
9 appoint a board of trustees. Such board shall consist of three,
10 five, or seven members as fixed by the county board. All members
11 of the board shall be residents of such county.

12 (b) When the board is first established, one member shall
13 be appointed for a term of two years, one for four years, and one
14 for six years from the date they are appointed if the county board
15 provides for a three-member board.

16 If the county board provides for a five-member board, one
17 additional member shall be appointed for four years and one for six
18 years. When the board is changed to a five-member board, the three
19 members who are serving as such trustees at the time of a change
20 from a three-member to a five-member board shall each complete his
21 or her respective term of office. The two additional members shall
22 be appointed by the county board, one for a term of four years and
23 one for a term of six years. Thereafter, as their terms expire,
24 members shall be appointed for terms of six years.

25 If the county board provides for a seven-member board,
26 one additional member shall be appointed for two years and one for
27 four years. When the board is changed to a seven-member board, the
28 three or five members who are serving as such trustees at the time

1 of the change shall each complete his or her respective term of
2 office. The two or four additional members shall be appointed by
3 the county board. If two additional members are appointed, one
4 shall be appointed for four years and one for six years. If four
5 additional members are appointed, one shall be appointed for two
6 years, two for four years, and one for six years.

7 (2) ~~Except in any county having a population of more than~~
8 ~~three hundred thousand inhabitants, not over two members of the~~
9 ~~board of trustees shall be from the city in which such facility or~~
10 ~~facilities are located.~~ In any county having a population of more
11 than three hundred thousand inhabitants, a minimum of one member of
12 the board of trustees shall be a resident of the county and shall
13 reside outside the corporate limits of the city in which such
14 facility or facilities are located. In any county having a
15 population of more than three hundred thousand inhabitants, if only
16 one member of the board of trustees resides outside the corporate
17 limits of the city in which the facility or facilities are located
18 and the residence of the member is annexed by the city, he or she
19 shall be allowed to complete his or her term of office but shall
20 not be eligible for reappointment. The trustees shall, within ten
21 days after their appointment, qualify by taking the oath of county
22 officers and by furnishing a bond in an amount to be fixed by the
23 county board. They shall organize as a board of trustees by the
24 election of one of their number as chairperson, one as secretary,
25 and one as treasurer, except that in counties with two hundred
26 thousand inhabitants or more, the county treasurer of the county in
27 which such facility or facilities are located shall be the
28 treasurer of the board of trustees. The treasurer shall receive

1 and pay out all the money under the control of such board as
2 ordered by it and shall report such expenditures and receipts to
3 the county board on a monthly basis and as required by section
4 23-3507. The monthly report shall include a statement of the
5 amount of currently outstanding registered warrants.

6 (3) (a) When a member or trustee is absent from three
7 consecutive board meetings either regular or special without being
8 excused by the remaining members of the board, his or her office
9 shall become vacant and a new member shall be appointed by the
10 county board to fill the vacancy for the unexpired term of such
11 member pursuant to subdivision (3) (b) of this section. Such
12 vacancy shall become effective when the county board finds that
13 there is such a vacancy or fills the same as provided in this
14 subsection.

15 (b) Any member of such board may at any time be removed
16 from office by the county board. Vacancies shall be filled in
17 substantially the same manner as the original appointments are
18 made. The person appointed to fill such a vacancy shall hold
19 office for the unexpired term.

20 (4) In counties having a population of two hundred
21 thousand inhabitants or more, the county board of the county having
22 such facility or facilities, in lieu of appointing a board of
23 trustees of such facility or facilities, may elect to serve as the
24 board of trustees of such facility or facilities. If the county
25 board makes such election, the county board shall assume all the
26 duties and responsibilities of the board of trustees of the
27 institution. Such election shall be evidenced by the adoption of a
28 resolution by the county board.

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1 Sec. 2. Original section 23-3502, Revised Statutes
2 Supplement, 2000, is repealed.